

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

NOTICE OF APPEARANCE; DEMAND FOR SERVICE OF PAPERS; AND DEMAND FOR
PAYMENT OF ALL POST-PETITION RENT AND PERFORMANCE BY CO-DEBTOR **BED
BATH & BEYOND INC.** OF ALL OF ITS OBLIGATIONS DUE UNDER ITS
COMMERCIAL LEASE IN ACCORDANCE WITH BANKRUPTCY CODE § 365(d)(3)

PLEASE TAKE NOTICE that pursuant to Section 1109(b) of Title 11 of the United
States Code and Rule 9010 of the Federal Rules of Bankruptcy Procedure, **RXR 620 MASTER
LESSEE LLC** hereby appears in the above-captioned case by its undersigned counsel, CYRULI,
SHANKS & ZIZMOR, LLP.

Request is hereby made pursuant to Federal Rule of Bankruptcy Procedure 2001 for service
of all papers, including, but not limited to, orders, reports, pleadings, motions, applications or
petitions, disclosure statements, plans and answering and reply papers, filed in the above-captioned
case by mailing one (1) copy of any such paper to:

CYRULI, SHANKS & ZIZMOR, LLP
420 Lexington Avenue, Suite 2320
New York, New York 10170
Attn: Edmond P. O'Brien, Esq.

PLEASE TAKE FURTHER NOTICE that demand is hereby made pursuant to
Bankruptcy Code § 365(d)(3) for payment of all post-petition rent and additional rent due RXR
620 MASTER LESSEE LLC ("Landlord"), as landlord (payments to be made promptly upon the
due dates specified in the Lease); and for the performance by co-debtor BED BATH & BEYOND

INC. (“Tenant”), as tenant, of all of the obligations of Tenant pursuant to the non-residential lease, made as of March 18, 2020 (as amended, the “Lease”) between Landlord and Tenant, for the premises, consisting of portions of the Ground Floor, Ground Floor Mezzanine Area, Lower Level, Lower Mezzanine Area, and Second Level (collectively, the “Premises”), as more particularly described in the Lease, located in the building located at 620 Avenue of the Americas, New York, New York.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance and Demand for Service of Papers, nor any later appearance, pleading, claim or suit shall constitute a waiver of (i) the right to have final orders in non-core matters entered only after de novo review by a judge of the United States District Court for the District of New Jersey, (ii) the right to trial by jury in any proceeding related to this proceeding, (iii) the right to have the United States District Court for the District of New Jersey withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) any objection to the jurisdiction of this Court for any purpose other than with respect to this notice, (v) an election of remedy, (vi) any other rights, claims, actions, defenses, setoffs, or recoupments as appropriate, in law or in equity, under any agreements, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Dated: New York, New York
April 25, 2023

CYRULI, SHANKS & ZIZMOR, LLP
Attorneys for RXR 620 Master Lessee LLC

By: *s/ Edmond P. O'Brien*
Edmond P. O'Brien (EO-5583)
420 Lexington Avenue, Suite 2320
New York, New York 10170
(212) 661-6800
(212) 661-5350 - fax

TO: All parties having appeared electronically